

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

WILLIAM J. VERSTRATE,

Plaintiff,

v.

CAROLINE W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

Case No. 14-5212 BHS-KLS

REPORT AND RECOMMENDATION

This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule MJR 4(a)(4) and as authorized by Mathews, Secretary of H.E.W. v. Weber, 423 U.S. 261 (1976). This matter is before the Court on the stipulated motion for remand. (ECF#16). After reviewing the parties' stipulated motion and the remaining record, the undersigned recommends that the Court grant the parties' motion, and remand this matter to the Commissioner for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

This court recommends that on remand the Administrative Law Judge (ALJ) shall (1) update the treatment evidence on Plaintiff's medical condition; (2) further consider whether Plaintiff's alleged impairment of plantar fasciitis is medically determinable or severe, and if it causes any limitations; (3) expressly evaluate the treating and examining medical source opinions cited above and explain the reasons for the weight he gives to this opinion evidence; (4) further consider Plaintiff's residual functional capacity on the updated record, citing specific

1 evidence in support of the assessed limitations; (5) further consider whether Plaintiff has past
2 relevant work he could perform with the limitations established by the evidence; and (6) secure
3 supplemental evidence from a vocational expert to clarify the effect of the assessed limitations
4 on Plaintiff's occupational base, ensuring that the hypothetical posed to the vocational expert
5 includes all of the residual functional capacity limitations.

6
7 Plaintiff is entitled to reasonable attorney fees pursuant to 28 U.S.C. § 2412, upon proper
8 request to this Court.

9 Given the fact of the parties' stipulation, the Court recommends that the District Judge
10 immediately approve this Report and Recommendation and order the case **REVERSED** and
11 **REMANDED**. A proposed order accompanies this Report and Recommendation.

12 DATED this 30th day of July, 2014.

13
14 
15 Karen L. Strombom
16 United States Magistrate Judge
17
18
19
20
21
22
23
24
25
26